

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

MARCY VELASQUEZ,
Plaintiff,

v.

RESHAM DASS, *et al.*,
Defendants.

Case No. [12-cv-04138-NJV](#)

ORDER TO SHOW CAUSE

Plaintiff Marcy Velasquez filed this action on August 6, 2012 and consented to the jurisdiction of the undersigned. *See* Doc. Nos. 1, 4. Plaintiff has not filed a proof of service demonstrating that she served defendants with the summons and complaint. It appears that Plaintiff has taken no steps to prosecute this action since September 27, 2012.

Federal Rule of Civil Procedure 4(m) provides that,

If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period....

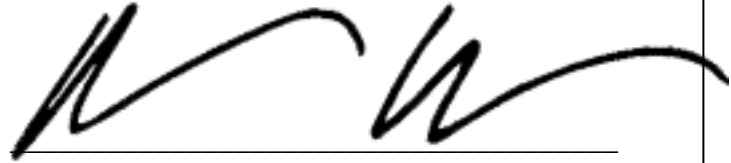
Given that there is no evidence that Plaintiff served defendants within 120 days after the complaint was filed, THE COURT hereby issues an ORDER TO SHOW CAUSE why Plaintiff's claims should not be dismissed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.

The hearing on the order to show cause will be held on May 14, 2013 at 1:00 p.m. Plaintiff may appear telephonically by dialing 1-888-684-8852 and entering 1868782# as the

1 access code. If Plaintiff fails to appear, the case shall be dismissed without prejudice pursuant to
2 Federal Rule of Civil Procedure 4(m).

3
4 **IT IS SO ORDERED.**

5
6 Dated: May 3, 2012

7 
8 _____
9 NANDOR J. VADAS
10 United States Magistrate Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28